

TO: BOARD OF SUPERVISORS

FROM: NICK FORESTER, PLANNER III

DATE: FEBRUARY 24, 2015

SUBJECT: PLANNING COMMISSION ACTION ON AMENDMENTS TO THE REAL PROPERTY DIVISION ORDINANCE, LAND USE ORDINANCE (TITLE 22), AND COASTAL ZONE LAND USE ORDINANCE (TITLE 23) – FLOOD HAZARD STANDARDS

The Planning Commission of the County of San Luis Obispo held a public hearings on February 27, 2014 and March 27, 2014 to consider proposed amendments to Sections 22.14.060 (Flood Hazard Area) and 22.80.030 (Definitions) of the Land Use Ordinance (Title 22 of County Code), Sections 23.07.060 (Flood Hazard Area), 23.07.062 (Applicability of Flood Hazard Standards), 23.07.064 (Flood Hazard Area Permit Processing Requirements), 23.07.065 (General Hazard Avoidance), 23.07.066 (Construction Standards), 23.11.030 (Definitions) of the Coastal Zone Land Use Ordinance (Title 23 of County Code) and Section 21.03.010(e) of the Real Property Division Ordinance (Title 21 of County Code), to comply with the federal law requirements of the Federal Emergency Management Act (FEMA).

The Planning Commission, at the conclusion of the public hearings, adopted findings for the amendments and recommended them for approval. The Planning Commission made minor changes to the proposed ordinance amendments based on input from County Public Works staff.

The findings, as recommended by the Planning Commission for approval to your Board, are attached to this transmittal letter.

The San Luis Obispo County Planning Commission recommends to the Board of Supervisors of the County of San Luis Obispo, State of California, approval of Land Use Ordinance amendment LRP2012-00002 as shown in Exhibits LRP2012-00002:B, LRP2012-00002:C and LRP2012-00002:D based on the recommended findings.

On the motion of Ken Topping, seconded by Jim Irving, and on the following roll call vote, to wit:

AYES: Commissioners Kenneth Topping, Jim Irving, Eric Meyer, and Tim Murphy.

NOES: None.

ABSENT: Commissioner Don Campbell.

EXHIBIT A – FINDINGS

Environmental Determination

- A. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

Amendment

- B. The proposed amendments are consistent with the Land Use Element and other adopted elements of the general plan because the changes are consistent with goal S-2 of the Safety Element to reduce damage to structures and the danger to life caused by flooding, dam inundation and tsunامي.
- C. The proposed amendments are consistent with the guidelines for amendments to the Land Use Ordinance because the modifications will allow full use of a sites potential while avoiding special site constraints such as flooding.
- D. The proposed amendment will protect the public health, safety and welfare of the area residents by allowing for development that will avoid special site constraints such as flooding.